

RECEIVED
CENTRAL FAX CENTER

JAN 16 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/715,654
Inventor(s) : David Frederick Swaile, *et al.*
Filed : November 18, 2003
Art Unit : 1616
Examiner : Shelley A. Dodson
Docket No. : 9113M
Confirmation No. : 5337
Customer No. : 27752
Title : Clear, Stable, Dry-and-Non-Sticky Antiperspirant Having a
Select Group of Polar Silicone Emollients

REPLY AFTER 1ST OFFICE ACTION UNDER 37 CFR §1.111(b)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

In response to the Office Action of November 9, 2006, please consider the following remarks and reconsider the application.

Claims 1-16 are pending in the application. These claims stand rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-38 of U.S. Patent No. 6,524,562 and claims 1-28 of U.S. Patent No. 6,555,099. Applicants are submitting a Terminal Disclaimer herewith to obviate this rejection.

Claims 1-16 also stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent Nos. 6,524,562 and 6,555,099. The instant Application (serial no. 10/715,654) and Patent Nos. 6,524,562 and 6,555,099 were, at the time the invention of Application serial no. 10/715,654 was made, owned by The Procter & Gamble Company. Accordingly, these patents are disqualified as prior art under 35 U.S.C. § 103(c).